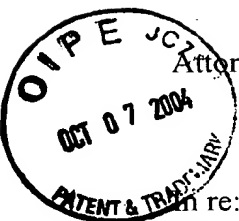


10-08-04

Bill  
Blaw



Attorney's Docket No. 5577-215

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Callis et al.

Confirmation No.: 8047

Serial No.: 09/693,027

Group Art Unit: 2144

Filed: October 20, 2000

Examiner: Lambert L. Tran

For: METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR  
POLICY BASED DISTRIBUTION OF WORKLOAD TO SUBSETS OF  
POTENTIAL SERVERS

Date: October 7, 2004

**MAIL STOP ISSUE FEE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION TO ACKNOWLEDGE AND CONSIDER PREVIOUSLY FILED  
INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicants submitted an Information Disclosure Statement, Form PTO-1449, and 15 cited references (Appendix A) on September 13, 2004. This submission included a self-addressed return postcard, which was returned indicating receipt of the above items at the United States Patent and Trademark Office on September 15, 2004 (Appendix B). A Notice of Allowance for the present case was mailed on September 30, 2004. Thus, the Information Disclosure Statement dated September 13, 2004 was filed before the mailing date of the Notice of Allowance.

In light of the foregoing, Applicants request consideration of the Information Disclosure Statement of September 13, 2004, and return of an initialed form PTO-1449 indicating consideration of the Information Disclosure Statement of September 13, 2004.

It is not believed that a fee is required for the present petition. In the event, however, that a fee is necessary to allow consideration of this paper, the Commissioner is authorized to charge Deposit Account No. 09-0461.

Respectfully submitted,

Timothy J. O'Sullivan  
Registration No. 35,632

Myers Bigel Sibley & Sajovec  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401

In re: Callis et al.  
Serial No.: 09/693,027  
Filed: October 20, 2000  
Page 2 of 2



**CERTIFICATE OF MAILING UNDER 37 CFR § 1.10**

"Express Mail" mailing label number EV473657791US

Date of Deposit: October 7, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

A handwritten signature in cursive script, appearing to read "Traci A. Brown", written over a horizontal line.

Traci A. Brown

Attorney's Docket No. 5577-215

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Callis et al.

Serial No.: 09/693,027

Filed: October 20, 2000

For: METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR  
POLICY BASED DISTRIBUTION OF WORKLOAD TO SUBSETS OF  
POTENTIAL SERVERS

Confirmation No.: 8047

Group Art Unit: 2144

Examiner: Lambert L. Tran

Date: September 13, 2004

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. § 1.97(d)**

Sir:

Attached is a list of documents on form PTO-1449 together with a copy of each identified document. This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(c), before final Office Action or Allowance, whichever is earlier.

The Commissioner is authorized to charge the \$180.00 petition fee set forth in 37 C.F.R. § 1.17(i) as required by 37 C.F.R. § 1.92(d)(3) to IBM Deposit Account No. 09-0461.

The Commissioner also is authorized to charge any additional fee or credit any refund to IBM Deposit Account No. 09-0461.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Timothy J. O'Sullivan".

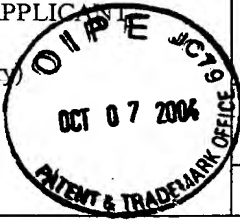
Timothy J. O'Sullivan  
Registration No. 35,632

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401  
Customer No. 46589

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on September 13, 2004.

A handwritten signature in black ink, appearing to read "Traci A. Brown".  
Traci A. Brown

<b>FORM PTO-1449</b> U.S. Department of Commerce Patent and Trademark Office				Attorney Docket Number: 5577-215		Serial No. 09/693,027	
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)							
				Applicants: Callis et al.			
				Filing Date: October 20, 2000		Group: 2144	
<b>U. S. PATENT DOCUMENTS</b>							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1	6,587,866 B1	7/1/03	Modi et al.	709	105	
	2	6,578,066 B1	6/10/03	Logan et al.	709	105	
	3	6,446,225 B1	9/3/02	Robsman et al.	714	55	
	4	6,330,560 B1	12/11/01	Harrison et al.	707	8	
	5	6,286,039 B1	9/4/01	Van Horne et al.	709	221	
	6	6,252,878 B1	6/26/01	Locklear, Jr. et al.	370	401	
	7	6,247,057 B1	1/12/01	Barrera, III	709	229	
	8	6,031,978	2/29/00	Cotner et al.	395	200.78	
	9	5,941,988	8/24/99	Bhagwat et al.	713	201	
	10	5,867,636	2/2/99	Walker	395	114	
	11	5,754,752	5/19/98	Sheh et al.	395	182.02	
	12	5,740,371	4/14/98	Wallis	395	200.59	
	13	US2002/0091831 A1	7/11/02	Johnson	709	227	
	14	US2002/0010783 A1	1/24/02	Primak et al.	709	229	
<b>FOREIGN PATENT DOCUMENTS</b>							
		Document Number	Date	Country	Class	Subclass	Translation Yes   No
	15	EP0648038 A2	8/24/94	EPO	H04L	29/06	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							

 EXAMINER \_\_\_\_\_  
 \*EXAMINER \_\_\_\_\_

DATE CONSIDERED \_\_\_\_\_

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

M.S. Amendment

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TSO/H6

Date: 9/13/04

Doc. No. 5577-215

99-20-04 AOS: Serial No. 02/693027

Inventor: Callis et al

Sir: Kindly acknowledge receipt of the accompanying items listed below  
by placing your receiving stamp hereon and return mailing:

Application Transmittal and:  
Specification pages  
No. of Claims  
Declaration & POA  
Assignment and Fee  
Small Entity Statement  
Formal Drawings/ sheets  
Associate Power of Attorney  
Exp. Mail ☒ 1st Class Mail  
Other:

Check \$  
☒ IDS & PTO-1449 & 15 refs.  
Amendment & Amend. Transmittal  
Preliminary Amendment  
Issue Fee  
Brief  
Appeal  
Submittal of Priority Doc.



Respectfully submitted,  
MYERS BIGEL SIBLEY & SAJOVEC, P.A.  
Attorneys for Applicant